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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,364	07/03/2003	Koji Nii	402691	5401
23548 7	590 04/27/2005		EXAMINER	
LEYDIG VO	IT & MAYER, LTD		NGUYEN, LONG T	
SUITE 300 WASHINGTON, DC 20005-3960		ART UNIT	PAPER NUMBER	
		·	2816	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE OF THIS COMMUNICATION. Extension of time may be available under the provision of 30°CPR 1.135(a). In no event, however, may a rapily be timely filed by the state of the provision of the provision of 30°CPR 1.135(a). If the priod for reply specified above is less than the provision of 30°CPR 1.135(a). If the priod for reply specified above, the machine statuto provision of the priod for reply specified above, the machine statuto provision is specified for reply specified above, the machine statuto provision is specified for reply specified above, the machine statuto provision is specified for reply specified above, the machine statuto provision of the provision of the communication. Palaboloxical palaboloxical palaboloxical status and the specified for reply specified above, the machine above the meeting date of this communication, when if timely filed, may reduce any accurate palaboloxic time adjustment. One 37°CPR 1.794(b). Status 1) Responsive to communication(s) filed on 14 March 2005. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) 1-11.14.15.17 and 18 is/are withdrawn from consideration. 5) Claim(s) 1-18 is/are allowed. 6) Claim(s) 12.13 and 18 is/are rejected. 7) Claim(s) is/are allowed. 8) Claim(s) 12.13 and 18 is/are rejected. 7) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 03 July 2003 is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to the file of the drawing(s) be held in abeyance. See 37 CFR 1.121(d). 11) Th				Hi				
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1) Responsive to communication(s) filed on 14 March 2005. 2a	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1, after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply in NO period for reply is specified above, the maximum statutory points. - Failure to reply within the set or extended period for reply will, by stature than three months after the mailing the set of	.136(a). In no event, however, may a reply be tin oly within the statutory minimum of thirty (30) day I will apply and will expire SIX (6) MONTHS from te, cause the application to become ABANDONE	nely filed /s will be considered timely I the mailing date of this co ED (35 U.S.C. § 133).	<i>(.</i> ommunication.				
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DETAILED ACTION

Election/Restrictions

1. Applicant's election of specie J (Figure 16) in the reply filed on 3/14/05 is acknowledged. Note that applicant indicates that claims 12, 13 and 16 read on Figure 16. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Specification

2. The disclosure is objected to because of the following informalities: on line 24 of page 29, it appears that "node NT1" should be changed to --node N1-- since NT1 is for a transistor. Appropriate correction is required.

Claim Rejections - 35 USC § 112

- 3. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 4. Claims 12, 13 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 12, the recitation "said control circuit setting one of the first and second voltages for turning on said second and third transistors to said first internal" on lines 13-14 is misdescriptive since the control circuit (10, Figure 16) does not provide any output to the first internal node (N1, Figure 16) so the control circuit cannot set any voltage to the first internal node. Clearly, from the operation of Figure 16, the control circuit (10) only provide an output to the second internal (N0). Further, the recitation "one of the first and second voltages" on line 16

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is unclear antecedent basis since it is not clear whether it is the same one or a different one from the "one of the first and second voltages" recited earlier on lines 13-14. Clarification and/or appropriate correction is required.

Claims 13 and 16 is indefinite because they include the indefiniteness of claim 12.

Also, in claim 13, the recitation "said control circuit including a timing circuit corresponding to said second internal node" is indefinite because it is not clear what it is mean by "corresponding to said second internal node".

Also, in claim 16, this claim is also indefinite because there is no connection between the "fourth field-effect transistor" and any other elements in the circuitry, so it is not clear what is the relationship between the transistors and how they are connected, and it is also not clear from Figure 16 what transistor is the "fourth transistor" in this claim. Thus, claim 16 is being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 6. Claims 12 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kano (USP 5,166,55).

Insofar as understood in claims 12 and 13, Figure 2 of the Kano reference discloses a driver, which includes: an input (10); an output (20); a first transistor (26); a first voltage (Vdd);

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a first internal node (G11); a second transistor (39); a second internal (G14); a second voltage (ground); a third transistor (27); and a control circuit (timing circuit 32-34), wherein the second transistor (39) has a driving force higher than a driving force of the third transistor (27, see lines 51-57 of Col. 4 and lines 2-7 of Col. 6). Note that the control circuit (timing circuit 32-34) supplying one of the first and second voltages (Vdd or ground) to the second internal node (G14) for a predetermined of time (output waveform of 34), and the timing circuit (32-34) adjust the predetermined period accordance with the voltage of the output node (base on the feedback from output 20 to the input of inverter 32 of the timing circuit 32-34). Also note that each of the first to third transistors are field effect transistors having respective oxide films (FETs having gate so having gate oxide films).

Claim Rejections - 35 USC § 103

- 7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kano (USP 5,166,55) in view of Sessions (USP 6,166,580).

With respect to claim 16, the circuitry in Figure 2 of the Kano reference discloses a driver which meets all of the limitations of this claim as discussed above with regard to the 102 rejection (note the driver also including a fourth field-effect transistor (38)) except for the fourth FET (38) having a different gate oxide film from at least one of the first, second and third transistors (26, 39 and 27, respectively). However, the Sessions reference discloses a driver

circuit including transistors having different gate oxide thickness for the purpose of reducing the area of the overall circuitry (Col. 1, lines 19-24; and Col.4, lines 49-58). Therefore, it would have been obvious to one having skill in the art at the time the invention was made to modify the circuitry in Figure 2 of the Kano reference by making the gate oxide film of the fourth transistor different than that from at least one of the first, second and third transistors (i.e., one oxide film thickness is thinner than the other one) for the purpose of reducing the area of the circuitry and achieve a desired performance and manufacturing goals. Thus, this modification meets all the limitations of claim 16 that the fourth transistor having the gate oxide film thickness different from at least one of the first, second and third transistors.

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Conclusion

- 9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 10. Any inquiry concerning this communication or earlier communications from the examiner should be directly to Examiner Long Nguyen whose telephone number is (571) 272-1753. The Examiner can normally be reached on Monday to Thursday from 8:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached at (571) 272-1740. The fax number for this group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
applications is available through Private PAIR only. For more information about the PAIR

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 20, 2005

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